

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12560 of Robert and Mark Harris, pursuant to Paragraph 8207.11 of the Zoning Regulations, for a variance from the lot area and width requirements (Sub-section 3301.1) to permit the conversion of two apartment buildings to four row dwellings in the R-4 District at the premises 1842-1844 and 1843-1845 Burke Street, S.E., (Square 1112, Lots 97, 98, 141 and 142).

HEARING DATE: January 18, 1978

DECISION DATE: January 18, 1978 (Bench Decision)

FINDINGS OF FACT:

1. The subject two apartment buildings are located across the street from each other, one at 1842-1844 Burke Street, S.E., the other at 1843-1845 Burke Street, S.E. and are in an R-4 District. Both buildings are identical in shape, size and use.

2. Both buildings contain four apartments each. The applicant proposes to convert both buildings into two single family row houses.

3. Each of the subject buildings is located on two lots measuring 18 feet and 17.67 feet in width. Both lots are 93 feet deep. They are non-conforming lots. The buildings are also non-conforming as to the use permitted as a matter-of-right in an R-4 District.

4. The proposed conversion of 1842-1844 Burke Street, S. E. will require a lot area variance of 126 square feet (7%) and a lot width variance of 0.33 feet (0.183%). The proposed conversion of 1843-1845 Burke Street, S.E. will require an area variance of 159.69 square feet (9.50%) and a lot width variance of 0.33 feet (0.183%).

5. The apartments are vacant in both buildings.

6. The applicant is in the process of renovating the subject apartment buildings. The renovation will include the construction of a load bearing party wall and the provision of new heating and air conditioning. The proposed conversion of the apartment buildings into row houses will require modification of the existing one entrance into two separate entrances and changing of certain inside details of the buildings.

7. The proposed conversion of the buildings to row houses will make the use of the property conforming to the use permitted in R-4 Districts in which the buildings are located.

8. The surrounding neighborhood is developed predominantly with row houses.

9. The row houses will be sold in fee simple. They will contain at least three bedrooms.

10. There was no opposition to the granting of the application.

11. The Municipal Planning Office, by report dated January 12, 1978, recommended approval of the application on the grounds that the proposed conversion of the apartment houses to row houses will reduce the extent of non-conformity of the existing structures.

12. Advisory Neighborhood Commission 6B, by resolution dated January 7, 1978 endorsed the application on the grounds that hardship existed in this application and agreed that the lot lines should be drawn to conform to the existing buildings.

CONCLUSIONS OF LAW:

The Board concludes that the proposed conversion to row dwellings is in conformity with the surrounding row dwellings, and represents a reduction of the extent of non-conformity of the existing structures. The Board notes that there will also be a decrease in use intensity. The Board concludes that the requested variances are area variances, the granting of which requires the showing of a practical difficulty. The Board is of the opinion that the size and shape of the lots, the use of the existing improvements and the proposed conversion present issues of a practical difficulty. The Board concludes that the variances can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the Zone Plan. The Board concludes that the conversion and sale of the units will serve to help stabilize the neighborhood, further the District of Columbia policy of improving existing housing and increase the opportunity for home ownership. Accordingly, it is ORDERED that the application is GRANTED.

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VOTE:

4-0 (Chloethiel Woodard Smith, Charles R. Norris, William F.
McIntosh and Leonard L. McCants)

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED By:



STEVEN E. SHER
EXECUTIVE DIRECTOR

FINAL DATE OF ORDER: 21 FEB 1978

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS
ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT
IS FILED WITH THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS
ORDER.